

REMARKS / ARGUMENTS

Claims 1-8 and 10-23 are now in the application. Claims 1, 10-11, 15, and 18 have been amended. Claim 9 has been cancelled. Claim 23 has been added.

The purpose of this amendment is to place the claims back in the condition they were in before the Office action dated July 25, 2003 because the reference Glenn et al. (US Pat. No. 6,448,506) and the reference Arakawa et al. (US Pat. No. 6,472,734) are not available as prior art references for the instant application for the reason that will be discussed below.

In item 6 on pages 3-4 of the Office action dated July 25, 2003, claims 1-3, 5, and 9-14 were rejected as being anticipated by Glenn et al. under 35 U.S.C. § 102(b). In item 8 on page 4 of the Office action dated July 25, 2003, claim 4 was rejected as being unpatentable over Glenn et al. in view of Isaak (US Pat. No. 6,180,881) under 35 U.S.C. § 103(a). In item 9 on page 5 of the Office action dated July 25, 2003, claims 6-8 were rejected as being unpatentable over Glenn et al. in view of Arakawa et al. under 35 U.S.C. § 103(a).

Enclosed please find a Declaration under 37 CFR 1.131 signed by the inventor together with a copy of the "Invention Disclosure" ("Erfindungsmeldung"), a report of the invention by the inventor Johann Winderl prepared on **May 18, 2000**, which date is before the filing date **December 28, 2000** of Glenn et al. and therefore the filing date **March 7, 2001** of Arakawa et al. The documents Glenn et al. and Arakawa et al. are therefore not available as prior art references for the instant application. Therefore, Applicant respectfully submits that the Section 102 and Section 103 rejections on pages 3-5 of the Office action dated July 25, 2003 are now moot. An English translation of the "Invention Disclosure" ("Erfindungsmeldung") will be submitted soon after.

In view of the foregoing, an early issuance of a Notice of Allowance to all the claims 1-8 and 10-23 is solicited. The method claims should be rejoined under MPEP 821.04 upon allowance of the product claims.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 C.F.R. Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicant

YC

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